

Oxford House Residential Leases and the Landlord Relationship

The Legal and Policy Reasons Underlying Oxford House Group Leases

Oxford House, Inc., a 501(c)(3) non-profit organization, is the umbrella organization for the national network of individual Oxford Houses providing a cost-effective way to help recovering alcoholics and drug addicts help themselves. The first Oxford House was started in Montgomery County, Maryland in 1975. Within six months, the second house was opened and today there are more than 700 such houses. The success of Oxford House has led many to believe that it is the missing link in the treatment process for alcoholics and drug addicts. Its concept of democratically run, self-supporting group homes, its time-honed system of operations, and its low cost have been significantly more effective than traditional treatment approaches. Oxford House, however, is not a treatment facility. It is simply an alcohol and drug free living environment which provides an opportunity for recovering individuals to live as a family unit focused on the need to change their individual lifestyles - to live absolutely free of alcohol and drug use. Over 80% of those who live in an Oxford House stay clean and sober.

In 1988, Congress passed a law requiring that every state in the country establish a revolving loan fund to help start houses based on the Oxford House model (P.L.100-690). Since that time, Oxford House, Inc. has organized a national headquarters to help individuals throughout the United States open Oxford Houses. The purpose of this document is to help new Oxford Houses, landlords, rental agents and local officials understand how and why Oxford Houses lease residential single family houses in good neighborhoods.

Location of Oxford Houses

Oxford Houses are established in good neighborhoods to integrate the recovering individuals into mainstream communities, away from former environments, people and habits. Behavior change is key for successful recovery, and living in a nice house and a nice neighborhood helps restore pride and self-esteem and provides additional incentive for the member to stay clean and sober.

Who Signs the Lease

Leases and landlord relationships with Oxford Houses are the basically the same as with ordinary families but with certain important distinctions. First, the signatory on the lease is the individual Oxford House; for example, Oxford House-Sixteenth Street. This commitment by the group *as an entity* to the landlord has important implications for the House members themselves, the application of local landlord-tenant laws, and the landlord.

Oxford House works because any individual resident who returns to using alcohol or drugs – in or outside of the house – must be immediately expelled from the house. This protects the sobriety of the rest of the House and supports the Oxford House concept of responsible recovery. If the individual is a signatory to the lease, his or her immediate eviction could be difficult, if not impossible, because of local landlord-tenant rights. In many jurisdictions it takes up to ninety days to evict a tenant even for non-payment of rent. Since no individual is a signatory to an Oxford House lease, the relapsing individual who is being evicted has no legal rights to delay his or her departure. There is no way to accomplish this result without the signature on the lease being in the name of the particular Oxford House group.

Second, each House must elect officers to serve in positions of responsibility on behalf of the House. The landlord benefits from this arrangement by having contact with specific individuals who are duly constituted as accountable for all matters concerning the occupancy. Individuals come and go but officers will always be accountable to the group and to the landlord on behalf of the group. Experience shows that Oxford Houses take great pride in the preservation of their good name and reputation.

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Who is Responsible

The particular group Oxford House is responsible to the landlord. An important part of why Oxford House has been so successful is that accountability and responsibility are given to the recovering individuals themselves. As a group they behave responsibly and out of that "group responsibility" the individuals develop a new responsible lifestyle free of alcohol and drug use.

Oxford House, Inc. plays an important part in making certain that individual groups behave responsibly through the use of the "Charter" mechanism. Each individual group is given an Oxford House Charter which makes it part of the network of Oxford House recovery houses. That Charter carries with it certain privileges; for example, the individual House is (1) brought under the 501[c][3] status of Oxford House, Inc., (2) given support and education about the operation of a self-run, self-supported recovery house, (3) provided assistance in filling vacancies and enforcing sobriety and financial responsibility, and (4) monitored to assure quality control. It becomes important to every House that it keeps its Charter.

The Charter has three simple -- but important -- conditions:

- ❑ The Oxford House must be self-run on a democratic basis following the Oxford House system of operations,
- ❑ The Oxford House must be financially self-supporting and pay all of its bills in a timely manner, and
- ❑ The Oxford House must immediately expel any resident who returns to drinking alcohol or using drugs.

Oxford House, Inc. monitors the activities of each house in a number of ways. First, it has on-site support by dedicated members of Alcoholics Anonymous and Narcotics Anonymous. Dozens of individuals active in those programs have the Oxford House toll-free telephone number and call Oxford House headquarters if a particular house is not strictly carrying out its responsibilities under its charter. Getting sober and staying sober is serious business for these recovering individuals and their dedication to helping others achieve sobriety is unsurpassed.

Second, Oxford House, Inc. keeps in touch with the members of each house on a regular basis. This involves weekly reports, periodic phone calls and the maintenance of continuous contact to keep track of vacancies and assure financial responsibility. It also enforces the Oxford House system of operations.

Third, Oxford House, Inc. uses its best efforts to assure that any house, once leased, continues to operate as an Oxford House for the duration of the lease. This includes substituting the entire membership of a house should a house fail to adhere to the high standard required by the Oxford House charter.

Oxford House, Inc. does not guarantee payment of rent. That would defeat the whole principle of establishing a system that teaches recovering individuals themselves to be responsible. However, it does the next best thing by utilizing and enforcing its Charter concept. Unlike the normal group house situation -- for which there is no assurance of quality control -- the Oxford House concept provides a landlord with the assurance of a dedicated partner in making certain that every Oxford House in the country is run in a responsible manner.

Zoning

Oxford Houses are considered single family residences for purposes of zoning. This has always been true in practice, and since March 12, 1989, the effective date of the 1988 Amendments to the Federal Fair Housing Act, it has been true as a matter of law. Those Amendments make it unlawful for any jurisdiction to discriminate against congregate living for the disabled. Recovering alcoholics and drug addicts are within the scope of the term "disabled." Therefore, Oxford Houses are not subject to zoning laws regulating the number of unrelated individuals who may live in a single family dwelling unless the same restrictions apply to families. There is no need to seek prior approval for leasing to an Oxford House, and Oxford House, Inc. will legally defend any claim of zoning violation made by localities still unfamiliar with the federal law.

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